

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	Criminal No. 02-539-1
v.	:	Date Filed: _____
PRAYLOR NEWMAN	:	Violations:
	:	18 U.S.C. § 371 (conspiracy to straw purchase firearms - 1 count)
	:	18 U.S.C. § 371 (conspiracy to obstruct justice - 1 count)
	:	18 U.S.C. §§ 924(a)(1)(A) and 2 (causing false statements to dealer - 4 counts)
	:	18 U.S.C. §§ 922(g)(1) and 924(e) (felon in possession of firearms - 5 counts)
	:	18 U.S.C. § 1512(b)(1) (witness tampering 3 counts)
	:	18 U.S.C. § 1512(b)(2)(C) (witness tampering - 1 count)
	:	Notice of Prior Convictions
	:	Notice of Forfeiture

SECOND SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

AT ALL TIMES MATERIAL TO THIS INDICTMENT:

1. Defendant PRAYLOR NEWMAN was barred from legally purchasing or possessing a firearm because he had previously been convicted of a felony crime for which he could be punished by more than one year imprisonment.

2. The entities listed below were located in the Eastern District of Pennsylvania, possessed a federal firearms license ("FFL") and were authorized to deal in firearms

under federal law:

- a. Abington Gun Sports, 43 Easton Road, Willow Grove, Pennsylvania; and,
- b. Classic Pistol Inc., 1310 Industrial Blvd., Southampton, Pennsylvania.

3. FFL holders were licensed, among other things, to sell firearms and ammunition. Various rules and regulations promulgated under the authority of Title 18, United States Code, Chapter 44 (Sections 921-929) govern the manner in which an FFL holder may sell firearms and ammunition.

4. The rules and regulations governing FFL holders required that a person seeking to purchase a handgun fill out a "Firearms Transaction Record," ATF Form 4473. Part of the Form 4473 required that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The Form 4473 contained language warning that "[t]he federal firearms laws require that the individual filling out this form must be buying the firearm for himself or as a gift. Any individual who is not buying the firearm for himself/herself or as a gift, but who completes this form, violates the law."

5. FFL holders were required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder.

6. From on or about July 23, 2001 until on or about January 29, 2002, defendant

PRAYLOR NEWMAN

conspired and agreed with Frank Green, charged separately elsewhere, and others known and unknown to the grand jury to commit an offense against the United States, that is, to knowingly

make false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, specifically, the identity of the actual buyer of firearms, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

7. It was part of the conspiracy that defendant PRAYLOR NEWMAN, acting on behalf of himself, asked Frank Green, who was not prohibited from purchasing firearms for himself, to purchase certain firearms for defendant PRAYLOR NEWMAN, by falsely representing to the firearms dealers that Frank Green, rather than defendant PRAYLOR NEWMAN, was the actual buyer of the firearms.

It was further part of the conspiracy that:

8. Defendant PRAYLOR NEWMAN told Frank Green what firearms and ammunition to purchase for defendant PRAYLOR NEWMAN.

9. Defendant PRAYLOR NEWMAN provided Frank Green with cash to pay the firearms dealers for the firearms and ammunition purchased for defendant PRAYLOR NEWMAN.

10. Defendant PRAYLOR NEWMAN paid Frank Green additional cash for Frank Green to keep for himself as a payment for purchasing the firearms and ammunition for defendant PRAYLOR NEWMAN.

11. At the direction of defendant PRAYLOR NEWMAN, Frank Green purchased the specified firearms after completing the required ATF Form 4473 (Firearms Transaction Record) and falsely representing that he was the actual buyer of the firearms.

12. Frank Green delivered the purchased firearms and ammunition to defendant

PRAYLOR NEWMAN.

OVERT ACTS

In furtherance of the conspiracy, defendant PRAYLOR NEWMAN and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

The July 23, 2001 Straw Purchases of a Glock and Another Firearm

On or about July 23, 2001:

13. Before Frank Green entered Abington Gun Sports, defendant PRAYLOR NEWMAN gave Frank Green money to purchase two firearms.

14. Frank Green, at the direction of defendant PRAYLOR NEWMAN, entered Abington Gun Sports, 43 Easton Road, Willow Grove, Pennsylvania and purchased a Glock, model 36, .45 caliber pistol bearing serial number DXN826US, and a Raven, model MP-25, .25 caliber pistol bearing serial number 1034616, by falsely representing on the ATF 4473 forms that he was the actual buyer of the firearms.

15. After leaving Abington Gun Sports and at the direction of defendant PRAYLOR NEWMAN, Frank Green gave defendant PRAYLOR NEWMAN the two firearms that he had just purchased, that is, a Glock model 36, .45 caliber pistol bearing serial number DXN826US, and a Raven, model MP-25, .25 caliber pistol bearing serial number 1034616.

16. On or about July 30, 2001 and on or about August 7, 2001, defendant PRAYLOR NEWMAN purchased ammunition for a .45 caliber pistol.

The July 24, 2001 Straw Purchase of a Glock

On or about July 24, 2001:

17. Before Frank Green entered Classic Pistol Inc., defendant PRAYLOR NEWMAN gave Frank Green money to purchase a firearm.
18. Defendant PRAYLOR NEWMAN and Frank Green entered Classic Pistol Inc., 1301 Industrial Blvd., Southampton, Pennsylvania.
19. While in Classic Pistol Inc. and at the direction of defendant PRAYLOR NEWMAN, Frank Green purchased a Glock, model 21, .45 caliber pistol bearing serial number AXN098US, by falsely representing on the ATF 4473 form that he was the actual buyer of the firearm.
20. While in Classic Pistol Inc., defendant PRAYLOR NEWMAN purchased a Daisy Airstrike Pistol Kit.
21. After leaving Classic Pistol Inc. and at the direction of defendant PRAYLOR NEWMAN, Frank Green gave defendant PRAYLOR NEWMAN the firearm that he had just purchased, that is, a Glock, model 21, .45 caliber pistol bearing serial number AXN098US.

22. On or about July 30, 2001 and on or about August 7, 2001, defendant PRAYLOR NEWMAN purchased ammunition for a .45 caliber pistol at Classic Pistol Inc.

The January 29, 2002 Straw Purchases of Two Glockes

On or about January 29, 2002:

23. Before Frank Green entered Abington Gun Sports, defendant PRAYLOR NEWMAN gave Frank Green money to purchase two firearms.

24. Defendant PRAYLOR NEWMAN and Frank Green entered Abington Gun Sports, 43 Easton Road, Willow Grove, Pennsylvania.

25. While in Abington Gun Sports and at the direction of defendant PRAYLOR NEWMAN, Frank Green purchased a Glock, model 30, .45 caliber pistol bearing serial number ENM117US, and a Glock, model 23, .40 caliber pistol bearing serial number CKM310US, by falsely representing on the ATF 4473 form that he was the actual buyer of the firearms.

26. While in Abington Gun Sports and at the direction of defendant PRAYLOR NEWMAN, Frank Green purchased two boxes of ammunition.

27. While in Abington Gun Sports, defendant PRAYLOR NEWMAN selected for purchase two identical shoulder holsters, each of which is compatible with the Glock, model 30, .45 caliber pistol and the Glock, model 23, .40 caliber pistol.

28. After leaving Abington Gun Sports and at the direction of defendant PRAYLOR NEWMAN, Frank Green gave defendant PRAYLOR NEWMAN the two firearms that he had just purchased, that is, a Glock, model 30, .45 caliber pistol bearing serial number ENM117US, and a Glock, model 23, .40 caliber pistol bearing serial number CKM310US, and the two boxes of ammunition that he had just purchased.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 28 of Count One are incorporated here.
2. On or about the dates listed below, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN

in connection with the acquisition of the Glock firearms listed below from the FFL holders listed below, knowingly made and aided and abetted the making of a false statement and representation with respect to information required by the provisions of Chapter 44 to be kept in the records of a FFL dealer, in that Frank Green, at the direction of defendant PRAYLOR NEWMAN, falsely represented on ATF Form 4473, Firearms Transaction Record, that he was the actual buyer of the Glock firearms listed below, when in fact defendant PRAYLOR NEWMAN and Frank Green knew those statements and representations to be false.

Count	Date	GLOCK FIREARMS		
		Make / Model / caliber	Serial Number	FFL Holder
2	7/23/01	Glock Model 36, .45 caliber	DXN826US	Abington Gun Sports
3	7/24/01	Glock Model 21, .45 caliber	AXN098US	Classic Pistol Inc.
4	1/29/02	Glock Model 30, .45 caliber	ENM117US	Abington Gun Sports
5	1/29/02	Glock Model 23, .40 caliber	CKM310US	Abington Gun Sports

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNTS SIX THROUGH TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 28 of Count One are incorporated here.

2. On or about the dates listed below, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN,

having previously been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce the firearms listed below:

Count	Approximate Date	FIREARMS	
		Make / Model / caliber	Serial Number
6	August 2001 - September 2001	Davis Model DM-22, .22 caliber Magnum Derringer	253268
7	7/23/01	Glock Model 36, .45 caliber	DXN826US
8	7/24/01	Glock Model 21, .45 caliber	AXN098US
9	1/29/02	Glock Model 30, .45 caliber	ENM117US
10	1/29/02	Glock Model 23, .40 caliber	CKM310US

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 28 of Count One are incorporated here.

2. From in or about August 2002, through the date of this Second Superseding Indictment, a federal grand jury for the Eastern District of Pennsylvania was conducting a criminal investigation of defendant PRAYLOR NEWMAN. The grand jury was investigating, among other things, whether NEWMAN knowingly possessed two Glock firearms found by the Warminster Township Police in the van NEWMAN was driving on or about March 1, 2002.

3. According to the ATF Forms 4473 (Firearms Transaction Records), on or about January 29, 2002, Frank Green was the purchaser of the two Glock firearms found by the Warminster Township Police in the van NEWMAN was driving on or about March 1, 2002.

4. Thus, in connection with the grand jury investigation, in or about August 2002, Frank Green was served with a grand jury subpoena requiring him to testify before the federal grand jury.

5. On or about September 3, 2002, before Frank Green's scheduled grand jury appearance, he met with federal law enforcement officers in connection with the grand jury investigation.

6. On or about September 4, 2002, after defendant PRAYLOR NEWMAN learned that Frank Green had met with federal law enforcement officers and told them about guns he had purchased at NEWMAN's direction, NEWMAN directed a person known to the grand

jury as Person # 1 to tell Frank Green to shut up, take back what he had said, and to say something that NEWMAN knew was false, that is, that Frank Green had left the two Glock firearms in NEWMAN's van without NEWMAN's knowledge. Among other things, NEWMAN, referring to Frank Green, directed Person # 1 to "tell that Humpty Dumpty mother fucker that I said shut the fuck up" and to say he (Frank Green) left the guns in the van.

7. On or about September 5, 2002, the day Frank Green testified before the grand jury, defendant PRAYLOR NEWMAN told Person # 1 that he believed Frank Green was "snitching" on him and directed Person # 1 to find out what Frank Green had said.

8. On or about October 6, 2002, defendant PRAYLOR NEWMAN again directed Person # 1 to tell FRANK GREEN to make a statement that NEWMAN knew was false, that is, that Frank Green had left the two Glock firearms in NEWMAN's van without NEWMAN's knowledge. NEWMAN also told Person # 1 that Frank Green could take back what he (Frank Green) had previously said at any time.

9. Defendant PRAYLOR NEWMAN had made previous efforts to have Frank Green testify falsely. On or about March 2, 2002, the day after the Warminster Township Police found two Glock firearms in NEWMAN's van, NEWMAN directed another person, known to the grand jury as Person # 2, to tell Frank Green to falsely report to the Warminster Township Police that Frank Green had left the two Glock firearms in NEWMAN's van without NEWMAN's knowledge. NEWMAN also directed Person # 2 to tell Frank Green that he would be paid if he did as directed.

10. From in or about August 2002 through in or about October 2002, defendant PRAYLOR NEWMAN knew and had notice that a grand jury investigation was

pending and that Frank Green and other persons known to the grand jury were prospective witnesses against him before the grand jury and at a federal trial.

11. From in or about March 2002 through in or about October 2002, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN

knowingly attempted to corruptly persuade Frank Green with the intent to influence the testimony of Frank Green in an official proceeding, that is, the federal grand jury investigation of NEWMAN and the prospective federal trial of NEWMAN.

All in violation of Title 18, United States Code, Section 1512(b)(1).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about August, 2002 through the date of this Second Superseding Indictment, a federal grand jury for the Eastern District of Pennsylvania was conducting a criminal investigation of defendant PRAYLOR NEWMAN. The grand jury was investigating, among other things, whether NEWMAN knowingly possessed two Glock firearms found by the Warminster Township Police in the van NEWMAN was driving on or about March 1, 2002.

2. Person # 2 was a passenger in the van defendant PRAYLOR NEWMAN was driving when the Warminster Township Police found the two Glock firearms in NEWMAN's van on or about March 1, 2002.

3. Thus, in connection with the grand jury investigation, in or about August 2002, Person # 2 was served with a subpoena to testify before the grand jury. The subpoena directed her to appear before the grand jury on or about Thursday, August 29, 2002.

4. On or about August 29, 2002, Person # 2 testified before the grand jury that Frank Green left the two Glock firearms in defendant PRAYLOR NEWMAN's van without his knowledge.

5. In or about September 2002, Person # 2 was served with a second grand jury subpoena requiring her to testify again before the grand jury.

6. Although Person # 2 was served with a second grand jury subpoena in or about September 2002, at her request, she was excused from testifying pursuant to that subpoena so that she could obtain and meet with an attorney.

7. Thus, so that she could testify a second time before the grand jury, Person # 2 was served with another grand jury subpoena on or about December 7, 2002.

8. From in or about March 2002 through in or about December 2002, defendant

PRAYLOR NEWMAN

conspired and agreed with Person # 2 and others known and unknown to the grand jury to commit offenses against the United States, that is to corruptly influence, obstruct, impede, and endeavor to influence, obstruct, and impede the due administration of justice, that is, the pending federal grand jury investigation of defendant NEWMAN, by endeavoring to cause false and inaccurate information to be presented to the grand jury and by endeavoring to prevent truthful and accurate information to be presented to the grand jury, in violation of Title 18, United States Code, Section 1503.

MANNER AND MEANS

9. It was part of the conspiracy that from in or about March, 2002 through in or about December, 2002, defendant PRAYLOR NEWMAN repeatedly directed Person # 2 to lie before the grand jury and to take steps to avoid being served with a grand jury subpoena.

OVERT ACTS

In furtherance of the conspiracy, defendant PRAYLOR NEWMAN and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

Defendant PRAYLOR NEWMAN First Communicates The Lie to Person # 2

10. On or about March 2, 2002, the day after the Warminster Township Police

found two Glock firearms in the van defendant PRAYLOR NEWMAN was driving, defendant PRAYLOR NEWMAN first directed Person # 2 to lie by instructing her to tell Frank Green to falsely report to the Warminster Township Police that Frank Green had left the two Glock firearms in NEWMAN's van without NEWMAN's knowledge. NEWMAN also directed Person # 2 to tell Frank Green that he would be paid if he did as directed.

Defendant PRAYLOR NEWMAN'S August 2002 Efforts
to Have Person # 2 Lie Before the Grand Jury

11. On or about Sunday, August 25, 2002, during a telephone conversation between defendant PRAYLOR NEWMAN and Person # 2, referring to her subpoena requiring her to testify before the grand jury on or about Thursday, August 29, 2002, Person # 2 said to NEWMAN, I "told you about that thing I got from court" and reported that she had to go on "Thursday."

12. During that telephone conversation on or about Sunday, August 25, 2002, after Person # 2 told defendant PRAYLOR NEWMAN that she had to go to court, NEWMAN instructed Person # 2, "Don't talk to anybody unless you talk to me first."

13. The next day, on or about Monday, August 26, 2002, referring to Person # 2 and the fact that she was subpoenaed to testify before the grand jury on or about Thursday, August 29, 2002, defendant PRAYLOR NEWMAN told his sister, "I gotta get a hold of this girl before these people do" on Thursday.

14. Then, on or about Tuesday, August 27, 2002, again referring to the fact that Person # 2 was subpoenaed to testify before the grand jury on or about Thursday, August 29, 2002, defendant PRAYLOR NEWMAN warned Person # 2, "I got to get you ready for these

assholes on Thursday.”

15. Similarly, the next day, or about Wednesday, August 28, 2002, defendant PRAYLOR NEWMAN advised Person # 2, “I’m trying to prepare you for what’s gonna happen.”

16. To that end, in or about August 2002, defendant PRAYLOR NEWMAN wrote a letter to Person # 2 through which NEWMAN instructed Person # 2 to falsely testify before the grand jury that Frank Green had left the two Glock firearms in NEWMAN’s van without NEWMAN’s knowledge. On or about August 28, 2002, NEWMAN told Person # 2 that everything she will “need to know” would be in the letter.

17. In multiple conversations with Person # 2 on or about Wednesday, August 28, 2002, defendant PRAYLOR NEWMAN instructed her where and when to pick up the letter. Aware that the prison records his phone conversations, NEWMAN was circumspect in the instructions he gave Person # 2 and reminded her that he could only say certain things on these phones: “You got to understand what I’m saying.”

18. On or about Wednesday, August 28, 2002, the day before Person # 2 was scheduled to testify before the grand jury, defendant PRAYLOR NEWMAN confirmed through a telephone call to Person # 2 that she had picked up the letter and then directed her to “say exactly what you got there.”

19. On or about Thursday, August 29, 2002, Person # 2 falsely testified before the grand jury as defendant PRAYLOR NEWMAN had directed her to do in the letter, that is, she falsely testified that Frank Green had left the two Glock firearms in NEWMAN’s van without NEWMAN’s knowledge.

Defendant PRAYLOR NEWMAN'S October 2002 Efforts
to Have Person # 2 Lie Before the Grand Jury

20. On or about October 10, 2002, in a telephone conversation with defendant PRAYLOR NEWMAN, Person # 2 reported to NEWMAN that she had to testify a second time before the grand jury.

21. In response, during that same telephone call on or about October 10, 2002, defendant PRAYLOR NEWMAN directed Person # 2 to present the same false testimony that she had presented to the grand jury on or about August 29, 2002, that is, that Frank Green had left the two Glock firearms in NEWMAN's van without NEWMAN's knowledge. Thus, with respect to her upcoming grand jury testimony, NEWMAN directed Person # 2 to "just go there and repeat exactly what you said the first time and then you get the fuck out of there."

Defendant PRAYLOR NEWMAN'S December 2002 Efforts
to Hide Person # 2 from the Grand Jury

On or about December 3, 2002:

22. During a telephone conversation with defendant PRAYLOR NEWMAN, Person # 2, who, at her request, had been excused from her second grand jury subpoena so that she could obtain and meet with an attorney, reported to NEWMAN that her attorney had told her that federal law enforcement officers were planning on serving her with another grand jury subpoena so that she could testify before the grand jury a second time.

23. In an attempt to have Person # 2 evade the federal law enforcement officers and thus evade service of the grand jury subpoena, defendant PRAYLOR NEWMAN directed Person # 2 to "get the fuck out of the shelter" at which Person # 2 had been staying. Referring to the potential grand jury subpoena, NEWMAN further instructed Person # 2 to "get

out of there before they can give you that piece of paper.”

24. NEWMAN then directed Person # 2 to call his mother to see if Person # 2 could stay at his mother’s home until his federal criminal trial was over.

25. Later that same day, NEWMAN called his mother and told her that he needed her to do something for him, that is, take Person # 2 into her home.

All in violation of Title 18, United States Code, Section 371.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and paragraphs 9 through 19 of Count Twelve are incorporated here.

2. From in or about March, 2002 through in or about August, 2002, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN,

knowingly attempted to corruptly persuade Person # 2 with the intent to influence her testimony in an official proceeding, that is, the federal grand jury investigation of NEWMAN.

All in violation of Title 18, United States Code, Section 1512(b)(1).

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and paragraphs 9 through 21 of Count Twelve are incorporated here.

2. In or about October 2002, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN,

knowingly attempted to corruptly persuade Person # 2 with the intent to influence her testimony in an official proceeding, that is, the federal grand jury investigation of NEWMAN.

All in violation of Title 18, United States Code, Section 1512(b)(1).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and paragraphs 9 through 25 of Count Twelve are incorporated here.
2. In or about December, 2002, in the Eastern District of Pennsylvania, defendant

PRAYLOR NEWMAN

knowingly attempted to corruptly persuade Person # 2 with the intent to cause and induce her to evade legal process summoning her to appear as a witness before the federal grand jury investigation of NEWMAN.

All in violation of Title 18, United States Code, Section 1512(b)(2)(C).

NOTICE OF PRIOR CONVICTIONS

Defendant PRAYLOR NEWMAN committed the offenses charged in Counts Six through Ten of this Second Superseding Indictment after the following convictions had become final, all of such convictions acting as qualifying convictions under 18 U.S.C. §§ 922(g)(1) and 924(e):

1. On or about July 18, 1991, NEWMAN was charged with Manufacturing, Delivery or Possession with Intent to Manufacture or Deliver a Controlled Substance on or about March 29, 1991 in Bucks County, Pennsylvania, case number CP 915192. After conviction, on or about December 10, 1991, NEWMAN was sentenced to a term of imprisonment.
2. On or about November 23, 1992, NEWMAN was charged with committing Burglary of a building on or about the same day in Warminster Township, Pennsylvania, case number CP 931461. After conviction, on or about November 5, 1993, NEWMAN was sentenced to a term of imprisonment.
3. On or about December 4, 1992, NEWMAN was charged with committing Burglary of a building on or about November 21, 1992 in Warminster Township, Pennsylvania, case number CP 931462. After conviction, on or about November 5, 1993, NEWMAN was sentenced to a term of imprisonment.
4. On or about December 9, 1992, NEWMAN was charged with committing Burglary of a building on or about June 20, 1992 in Warminster Township, Pennsylvania, case number CP 931463. After conviction, on or about November 5, 1993, NEWMAN was sentenced to a term of imprisonment.
5. On or about March 11, 1993, NEWMAN was charged with Manufacturing, Delivery or Possession with Intent to Manufacture or Deliver a Controlled Substance on or about October 15, 1992 in Warminster Township, Pennsylvania, case number CP 932059. After conviction, on or about November 5, 1993, NEWMAN was sentenced to a term of imprisonment.
6. On or about March 11, 1993, NEWMAN was charged with Manufacturing, Delivery or Possession with Intent to Manufacture or Deliver a Controlled Substance on or about December 5, 1992 in Warminster Township, Pennsylvania, case number CP 932060. After conviction, on or about November 5, 1993, NEWMAN was sentenced to a term of imprisonment.

NOTICE OF FORFEITURE

As a result of the violations of Title 18, United States Code, Sections 924(a)(1)(A) and 922(g)(1) set forth in Counts Two through Ten of this Second Superseding Indictment, the defendant

PRAYLOR NEWMAN,

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in the commission of these offenses, including, but not limited to:

- (1) a Glock, Model 36, .45 caliber pistol, serial number DXN826US, loaded with five rounds of ammunition;
- (2) a Glock, Model 21, .45 caliber pistol, serial number AXN098US;
- (3) a Glock, Model 30, .45 caliber pistol, serial number ENM117US, loaded with eight rounds of ammunition;
- (4) a Glock, Model 23, .40 caliber pistol, serial number CKM310US, loaded with nine rounds of ammunition;
- (5) two additional loaded magazines, one for each weapon listed in (3) and (4) above;
- (6) a Davis Model DM-22, .22 caliber magnum Derringer, serial number 253268, loaded with two rounds of ammunition;
- (7) .45 caliber ammunition purchased on July 30, 2001 and August 7, 2001 from Classic Pistol Inc.; and,

(8) two boxes of ammunition purchased on January 29, 2002 from Abington Gun Sports.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney